

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ADMASSU REGASSA,	:	
	:	
Plaintiff	:	
	:	
v.	:	NO. 4:14-CV-1122
	:	
C. BRININGER, et al.,	:	(Judge Brann)
	:	
Defendants	:	

**ORDER**

**AND NOW**, this 27<sup>th</sup> day of September 2018, for the reasons set forth in the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Remaining Defendants' motion for summary judgment (Doc. 179) is construed as seeking partial summary judgment and is **PARTIALLY GRANTED**.
2. Summary judgment is **GRANTED** in favor of Defendants Bubebendorf and Wise on the basis of lack of personal involvement.
3. Defendant Kulp's request for entry of summary judgment is **DENIED**.
4. Summary judgment is **GRANTED** with respect to the FTCA claims of assault and negligence pertaining to the placement of Plaintiff in ambulatory restraints.

5. The *Bivens* claim of excessive force against Brinninger, Kranzel, and Kulp and the related FTCA claim of assault pertaining to the alleged attack of Plaintiff on July 8, 2013 will proceed against Defendants Brinninger, Kranzel, Kulp, and United States Federal Bureau of Prisons.

BY THE COURT:

*s/ Matthew W. Brann*  
Matthew W. Brann  
United States District Judge